

## FARMINGTON CITY – CITY COUNCIL MINUTES

FEBRUARY 4, 2020

### WORK SESSION

*Present: Mayor Jim Talbot; City Manager Shane Pace; City Councilmembers Brett Anderson, Scott Isaacson, Shawn Beus, Amy Shumway, and Rebecca Wayment; City Recorder Holly Gadd; Community Development Director Dave Petersen; Finance Director Greg Davis; Economic Development Director Brigham Mellor; Police Chief Wayne Hansen; City Engineer Chad Boshell; Davis County Commissioners Bob J. Stevenson, Randy B. Elliot, and Lorene Miner Kamalu; and Recording Secretary Deanne Chaston.*

### DAVIS COUNTY COMMISSIONERS

The work session was held to discuss projects and questions with the Davis County Commissioners. Mayor **Jim Talbot** offered the invocation.

Davis County Commissioner **Randy B. Elliot** spoke about the animal shelter, which was originally built as a kill facility. In the next three to four years, the Commission would like to transition to an animal care and shelter facility. Since Farmington will have to share in that expense, **Elliot** said he wanted the City to be aware of the plans. Davis County Commissioner **Lorene Miner Kamalu** said that the County animal control manager is looking into community partnerships to help fund the expenses.

The County Memorial Courthouse is being remodeled, and **Elliot** said he would bring the plans to the City in the future. The County is drafting the Request for Proposal for construction, and the architectural renderings are being finished. The County is working through asbestos mitigation. **Elliot** personally would like to bring back historical features such as the water fountain that was present between the 1920s and 1970s.

City Manager **Shane Pace** said that animal control is an important issue, and the County facility has a good quality manager. Farmington will have to step up to handle the increased costs of animal control.

**Elliot** said the County is looking to transition some of their western facilities. The County would like to put it in the budget to cement the floor of the Legacy Event Center, but that would affect the future of equestrian events there. It is possible that the Utah State University extension could build an equestrian facility near the Kaysville pond. They are in the beginning stages of negotiations and will need a feasibility study to determine if there would be enough events to cover the costs of operation and maintenance of a new facility. It may be possible to move the County stables to the 55 acres that, according to 1988 records, were originally purchased with surplus hospital bond funds for the intent of expanding the correctional facility. County Commissioner **Bob J. Stevenson** said that the County pays \$250,000 to fund both the USU Extension and 4-H. He noted that 4-H groups have put a lot of past volunteer time and money of their own into the facilities. However, times are changing and things need to be adjusted to keep the economy going.

**Elliott** said he got an email from the U.S. Forest Service that they are looking into closing mines in Davis County, including Patsy's Mine. He said he is fighting to keep Patsy's Mine open due to its historical nature. Farmington City Councilwoman **Amy Shumway** said Patsy's Mine is not a dangerous one, as people can stand up and walk into it, but that people have spray painted it numerous times.

**Kamalu** spoke of the recent Community Resilience Symposium held at the Davis Conference Center on January 31 with the cooperation of Davis Behavioral Health and Davis County Human Services directors. The second annual event offered continuing education credits for social work professionals. The groups, including regionally and nationally known experts, were collaborating to counter the challenge of suicide and the opioid epidemic. Law enforcement professionals also attended the symposium.

**Elliott** spoke about the correctional facility expansion, noting that it is a five-year bond with a short-term low interest rate. The expansion will not cause a tax increase. **Stevenson** said that the opioid epidemic has produced cases with good, not troubled, people that need help rather than incarceration. The choice can be offered to the misdemeanor population, or first-time offenses. The County Sheriff's Department is starting a new program where people can get help instead of be booked into jail. Those in the program can go through an assessment and then have access to services. Recovery programs are offered to help them stay out of the system. **Kamalu** said Davis County is piloting this for the state. She said she didn't know of any other receiving center in the nation where there is a nonbooking/no charges option. The receiving center's effort is to keep people in their jobs and give them the help they really need. Seventy percent of those on the "diversion path" followed the program, which is a higher percentage than others who are incarcerated. Layton and Bountiful will begin a similar program in December. **Kamalu** also mentioned the Justice Reinvestment Initiative (JRI) that helps people from returning to jail and to be successful when they enter back into their cities.

**Stevenson** said that the 911 dispatch and paramedics are moving forward. The Syracuse library is done and open, with other branches planned. The Northern Utah Economic Alliance made up of Weber and Davis Counties have \$300,000 to help bring in businesses for economic development.

Economic Development Director **Brigham Mellor** said when the City did its land planning exercise/design charrette with a firm out of Pittsburg, the 350-acre office park was held by 20 different land owners. This week it was discovered that one property owner controls 150 acres. That owner also owns a vast majority of the buildings at Thanksgiving Point. That land owner may be attending the upcoming Denver business office tour along with City Councilmembers, UTA, the Planning Commission chairman and others. The idea is to see what Farmington's business park could look like in 20 years from now. **Mellor** said this is evidence that there is significant interest in this area of Farmington, which could be home to 2 million square feet of office space in six different buildings. About 22 percent of the land is in wetlands, which will have to be mitigated. Also, the roads are not sufficient to handle the future increase in traffic, and the current interchange near Lagoon is near failure. A connector road in cooperation with Kaysville may take between \$4 million to \$5 million. It is estimated that \$21 million is needed

for road infrastructure in this area. **Pace** mentioned that that cost would decrease if developers voluntarily give the rights of way, and that the City would try to identify internal sources such as matching grants to help fund road construction. **Mellor** suggested using funding from County Prop 1, STP, third quarter sales tax money, and tax increment. **Stevenson** said the City could bond for the needed money, and should look to federal funding as well. Mayor **Talbot** said if the City can't get ahead of the game, they could lose businesses to Lehi and Draper, or even to areas to the north. **Pace** said there is pent up demand for office space, and Farmington is the second largest Silicon Slopes Chapter in the State. **Stevenson** said the decisions made in the next five years will impact the county for the next 50 years.

### **REGULAR SESSION**

*Present: Mayor Jim Talbot; City Manager Shane Pace; City Councilmembers Brett Anderson, Scott Isaacson, Shawn Beus, Amy Shumway, and Rebecca Wayment; City Recorder Holly Gadd; Community Development Director Dave Petersen; Finance Director Greg Davis; Economic Development Director Brigham Mellor; City Engineer Chad Boshell; Planning and GIS Specialist Shannon Hansell; and Recording Secretary Deanne Chaston.*

### **CALL TO ORDER:**

Mayor **Jim Talbot** called the meeting to order at 7:00 p.m.

### **Roll Call (Opening Comments/Invocation/Pledge of Allegiance)**

Councilwoman **Amy Shumway** offered the invocation, and the Pledge of Allegiance was led by **Shawn Beus**.

### **PUBLIC HEARINGS:**

#### **Consideration of Amendment to Development Agreement/Project Master Plan (PMP) for the Haight Creek Subdivision related to New Building Elevations**

Planning and GIS Specialist **Shannon Hansell** provided background on this item. In 2018, the City Council approved the schematic subdivision plan, development agreement, and project master plan for the North Station townhome subdivision. The subdivision is located on approximately nine acres between Haight's Creek, Shepard Lane, the D&RG Trail, and I-15 in an Office Mixed Use (OMU) zone. At the 2018 public hearing, citizens expressed concern over building heights, especially the three-story heights. The Council approved three-story elevations with a 36 foot 9 inch height. Since then, Visionary Homes acquired the project and, after discussion, requested that building elevations be changed to what the City Council is considering today.

Mayor **Talbot** opened the Public Hearing. Nobody signed up to address the Council on the issue. **Talbot** closed the Public Hearing.

**Mellor** said this is near the office project. He said he is concerned with the facade design of the townhomes that face the Denver Rio Grand Western Rail Trail. He would like to add additional variety to the side face, as identified by a fenestration expert, as this will set a standard for what

happens further south. Mayor **Talbot** said there needs to be something with more personality to break up the long lines. He mentioned that the Planning Commission reviewed these changes, and voted unanimously to approve the amendment to the development agreement.

**Dallas Nicoll**, with Visionary Homes, said he would take that feedback under advisement, but it is difficult to just plop a balcony or window on the side of the townhome. He suggested a design element option different from vinyl siding such as an earth side, or perhaps even landscaping.

Councilwoman **Wayment** said she remembers this agenda item from September of 2018, when the City Council considered the feedback of a citizens group, who wanted the two-story design to buffer the existing residential and give way to the three-story design in the center. She said the new design was troublesome because she identified three-story buildings where two-story buildings should be.

Community Development Director **Dave Petersen** said the Planning Commission was more satisfied with the current design than the previous design because it did a better job of tiering with an overall elevation that is a foot and a half lower than the previous design, and the buildings are actually moved further away from the trail with a good-sized buffer. Because the previous elevations were memorialized in an agreement, he felt it best to bring the new elevations to the City Council to approve the adjustments, which will necessitate a swap out of exhibits. **Pace** commended **Petersen** for bringing the changes forward, saying that minor changes to a plan that go unapproved by the City Council can surprise people and cause lawsuits. Two members of the previous citizen group spoke in favor of the change at the recent Planning Commission meeting. As a former member of the Planning Commission, **Shumway** said the Commission did want to see balconies. **Petersen** said that the input from the site plan architectural review committee consultants would be valuable.

#### **Motion:**

Councilman **Brett Anderson** moved to approve the Amended Development Agreement and Project Master Plan, namely new building elevations, subject to all applicable Farmington City development standards and ordinances, and include Findings for Approval 1-4, but with an additional condition that the applicant work with staff and the site plan architectural review committee on the sides of the buildings that face the trail. **Beus** seconded the motion, which received a unanimous vote.

Mayor **Talbot** said the new product looks better than the former one, and encouraged the applicant to get **Petersen** all the new exhibits.

#### **NEW BUSINESS:**

##### **Plat Amendment for Eastridge Estates Phase III**

**Hansell** presented the agenda item, saying a surveyor made a two-foot error in staking the property corner of Lot 307 of the Farmington Estates Phase 3 subdivision. The east side property line is too close to the home and does not allow room for the planned RV pad. The developer tried to work with the owner of Lot 306. However, the owner also planned an RV

pad. The stem portion of the flag lot on Lot 308 abuts the east side of Lot 307. Section 12-7-030 of the subdivision ordinance requires the flag lot stem to be at least 28 feet wide. The applicant is requesting a special except to this ordinance, so that the stem would be 26 feet wide instead of the required 28 feet. Prior, the requirement was 20 feet. **Hansell** said that 26 feet is enough for both landscaping and emergency access. Mayor **Talbot** said an honest error was made.

**Petersen** said there was a question about whether this item should come to the City Council or Planning Commission first. He suggested that the City Council approve this subject to the Planning Commission also approving it afterward. **Shumway** questioned the wording of the third finding, which **Hansell** said would be cleaned up.

**Beus** moved to approve the Amendment to Farmington Eastridge Estates Phase III, as requested by the property owner, subject to all applicable Farmington City Development Standards and Ordinances, and also subject to Planning Commission approval, including Findings for Approval 1-3.

**Shumway** seconded the motion, which received a unanimous vote.

#### **Horrocks Engineers Contract to Design the 950 North Street Project**

City Engineer **Chad Boshell** said Farmington has been working with Kaysville on this for a while, and was able to secure millions of dollars of funding for the road, which will go from the DRG trail to the future interchange, including Sunset and a continuation north to Angel Street. This will funnel west Kaysville traffic. The funding came short of covering the Angel Street section. To save time and money of going out to bid for planning services, **Boshell** asked Horrocks Engineers to conduct an environmental study as a change order for the design work they were already doing. It was an amendment to the original contract. It came back high, and the City suggested some changes. It came in after that at \$239,000, or about 2 percent of the whole project, which **Boshell** said is a good price. Mayor **Talbot** said Horrocks was willing to come down in price to help both cities keep the project going. This does not include the right of way survey work and negotiation. **Boshell** recommended that the City Council approve the contract so that construction could start next year, depending on the availability of the funds.

**Pace** said that Farmington City would be the managing city on the contract, although it may be turned over to Kaysville when it is time to finish the project. Another \$2 million in funding would be needed to finish the project. The City plans to approach Davis County for third quarter funding. **Pace** said that the City Attorney is comfortable with not having to go to bid on this given the revised numbers and the good reputation of Horrocks. **Talbot** said that it is not every day that two municipalities work together hand in hand to make things work.

**Boshell** said Farmington would monitor the project closely to make sure it stayed within the estimate and budget. He said most engineering firms don't include flat fees in their contracts, although they do have a "not to exceed" clause. In his experience, costs climb due to the City asking for changes, not because of the firm. **Pace** said that is why there is a specific process for change orders to be approved by the City. **Talbot** said the City doesn't want change orders to get out of hand.

**Wayment** moved to approve the contract with Horrocks Engineers for the design of the 950 North Street Project in the amount of \$239,900 to be paid from State and STP Funds.

**Isaacson** seconded the motion, which received a unanimous vote.

### **Interlocal Agreement with Kaysville City for the 950 North Street Project**

**Boshell** said Kaysville and Farmington have been working well together on this project without a formal agreement. Each municipality has acquired funds, with Farmington having \$6 million in their coffers that they are applying for federal reimbursement of. The application was a joint one. The proposed agreement stakes out how the funds will be spent, how the project will be phased, lets the project move forward, and allows for Farmington to be reimbursed for \$100,000 in monies already spent. City Attorney **Todd Godfrey** drafted the agreement and Kaysville revised it. **Pace** noted that this will be on Kaysville's agenda tomorrow night. **Petersen** noted that if the City would like to rename the street North Station Park, there is a process in the code to do that. **Talbot** said this is a game-changer for Farmington's business park, and there needs to be a maintenance agreement, as a portion of the road is in Kaysville. **Pace** said there is still a possibility that UDOT could take over management of this project, as they may want to use this corridor during construction of the West Davis Corridor project.

**Wayment** moved to approve the Interlocal Cooperation Agreement with Kaysville City for the 950 North Street Project. **Shumway** seconded the motion, which received a unanimous vote.

**Isaacson** noted some technical changes in the agreement that he will get to the City staff.

### **AAA Construction Contract to Construct the Continental Drive Reconstruction**

**Boshell** said that the City has intentionally not done any work on Continental Drive for eight years knowing that it would become a project. The project includes Continental Drive from 200 East to 40 East/Glynhill Court. It will help get water off the road by eliminating surface waterways and instead installing an underground storm drain system. Water lines will be replaced. Other work includes water laterals, meters, fire hydrants, road repavement, and curb and gutter repair.

Once the project was sent out to bid, bids came back ranging from \$433,000 to \$755,000, which **Boshell** said was a wide range that also included bids for \$511,000 and \$533,000. The low bid was from the small company AAA Construction, who is hungry for work. He said the City used this same company on the 350 East project three years ago, and they were good but slow. They did not request any financial change orders, and the City only got one complaint during the length of the project. He cautioned the City Council that they may get complaints from residents that the company is working slowly within the 90-day window, which is a tight deadline meant to motivate the company. The contractor can extend the deadline due to weather and for unforeseen circumstances such as hitting a gas line. However, **Pace** said that the company did a good job communicating with the public on that prior project. **Boshell** said that this project is a challenging one due to the curves, number of manholes, and the fact that lines cross each other numerous times. The road will need to be closed often, and people will be disrupted. The company is eager to start right away.

Councilwoman **Wayment** questioned the timing of the project, as it is a major east-west corridor to the freeway.

**Isaacson** pointed out minor changes, asking that the contract state the price and not refer to the bid attached. **Pace** said this it is a common engineering practice to refer to the bid, but because he has had a bad experience with that in the past, he agreed with **Isaacson**.

**Wayment** moved to approve the contract and bid with AAA Construction for the construction of the Continental Drive Reconstruction Project in the amount of \$433,882, to be paid from the storm drain, water, and street utility funds.

**Beus** seconded the motion, which received a unanimous vote.

## **SUMMARY ACTION:**

### **Minute Motion Approving Summary Action List**

The Council considered the Summary Action List including approval of minutes from January 7, 2020; and residences of Farmington Hills (Lot 110) Water Line Agreement. **Mellor** added the UTA contract for shuttle services to the Summary Action List.

Mayor **Talbot** said that the City has been working on a UTA shuttle for a number of years. It is a good service offered to citizens that goes from Lagoon to Station Park. The City may want to request a future route to include the gym. **Wayment** said in the summer the route into Downtown Farmington is popular and the City may want to consider a route into the future business park. **Mellor** said this is why UTA is joining City officials during the Denver tour of their business park.

## **Motion:**

**Shumway** moved to approve the Summary Action list items 1-3 as noted in the staff report.

**Wayment** seconded the motion, which was unanimously approved.

## **GOVERNING BODY REPORTS:**

### **City Manager Report**

**Pace** presented the Monthly Fire Activity Report for December. He said Fire Chief **Guido Smith** and Fleet Manager **Brad Thurgood** traveled to New York this past week to inspect and pick up a used fire engine. A third party company also inspected the vehicle. It is in phenomenal shape with 28,000 miles, and the former owner also included thousands of dollars in equipment to go with it. They drove it home and had interesting experiences with toll roads on the way back. The new engine gives Farmington the ability to use three types of foam, and is just a foot shorter than the ladder truck. There will be a future proposal to modify the fire impact fee capital facilities plan so that impact fees can be used to pay for the \$150,000 vehicle. The bid for a new one is \$1.2 million. After replacing the springs on the vehicle, it will cost Farmington \$200,000 to get the new engine.

The Public Works Department is addressing the fact that the company that regularly handles the City's sprinkling and tree trimming to the tune of \$45,000 annually recently closed their doors after 80 years of business with no notice. The company helped with the City spring and fall clean-up days. **Pace** said the City may approach Robinson, who currently handles the City's garbage collection, to ask them to expand their operations to handle the spring and fall clean-up program since it can be recycled. Mayor **Talbot** said this program was used more by the east side of the city than the new subdivisions to the west.

**Mellor** reminded the Council of their upcoming trip to Denver. They will fly to Denver, get on two 12-seater buses, and attend along with representatives from UTA, Davis County, UDOT, and EDCUtah. The tour presenter will be a Harvard-educated architect and land planner, who helped design some of the Denver train stations. **Mellor** hopes that many of the Denver private developers will also attend.

### **Mayor Talbot and City Council Reports**

**Shumway** said she attended the Silicon Slopes conference for a few hours and was impressed.

**Isaacson** said during his recent campaign, he spoke with many residents who were frustrated and concerned. He wondered if the City could benefit from improved public relations, since these residents were merely missing all the facts or had misinformation. He said it would be nice if the City could do a better job keeping the community informed. **Talbot** mentioned that the City could do a better job at putting articles in the newsletter or on the website eight to 10 times a year for major things. **Beus** recalled a public relations professional that specializes in government, and may reach out to them to do a presentation for the City.

**Wayment** said she recently attended a legislative day for youth city council and suggested that the City purchase jackets for its youth city council, as other municipalities do. She reminded the Council of a Parks and Recreation Sweetheart Dance on February 7 at the Community Arts Center.

**Beus** said he recently attended a TEDx event in Bountiful and said he would like Farmington to look into holding something similar. It is a series of motivation and inspirational speeches.

Mayor **Talbot** discussed Planning Commission appointments. Recently six residents applied for the two positions. Staff met with all of them and extended a four-year appointment to **Larry Steinhorst**, who lives in the northeast quadrant of the city. He would like **Inger Erickson** to serve for one year as an alternate. He said that an alternate is helpful when other Commissioners can't make it to meetings, and often times alternates move into a Commission seat.

Anderson moved to appoint **Larry Steinhorst** and **Inger Erickson** to the Planning Commission. **Beus** seconded the motion, which was followed by a unanimous vote.

**Talbot** encouraged City Councilmembers to attend the mid-year Utah League of Cities and Towns (ULCT) Conference in St. George April 22 to 24. The City will pay for the Councilmembers' hotel rooms and registration, as well as reimburse for fuel based on mileage. He needs to get a count tomorrow for who is going.



## **ADJOURNMENT**

Motion:

**Beus** made a motion to adjourn the meeting. **Isaacson** seconded the motion, which was unanimously approved.

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**Holly Gadd**, Recorder